

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THELMA HERNANDEZ,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

Case No. [21-cv-04274-SI](#)

**ORDER TO SHOW CAUSE**

On May 3, 2023, the parties issued a joint status report indicating that the parties were working to finalize a settlement and anticipated filing a dismissal “in the coming days.” Dkt. No. 31. This case was pending before Judge Jeffrey S. White at the time. Dkt. No. 13.

On May 16, Judge White issued an order giving the parties 30 days to file either a dismissal or a joint statement explaining the status of the settlement. Dkt. No. 32.

On June 15, the defendant filed a status update indicating that there was an issue concerning Medicare’s interest in the settlement. Dkt. No. 33. The status update further explained that between May 8 and June 14, defense counsel sent four emails to plaintiff’s counsel regarding the settlement and received no response. *Id.*

On June 16, Judge White issued a second order giving the parties 30 days to file either a dismissal or a joint statement. Dkt. No. 34. Judge White subsequently recused himself, and the case was reassigned to this Court. Dkt. Nos. 35, 36. The parties never responded to the June 16 order.

On July 31, the Court set a status conference for August 18, 2023, and required a status report by August 11. Dkt. No. 37. On August 11, defendant filed a status update indicating that defense counsel has continued to email and call plaintiff’s counsel with no response. Dkt. No. 38.

Mike Bird, counsel for plaintiff, is hereby **ORDERED** to appear at the status conference on **August 18, 2023, at 12:30 p.m.**, and show cause why he has not responded to the Court's orders or defense counsel's communications. The status conference shall be conducted by Zoom webinar at the following url:

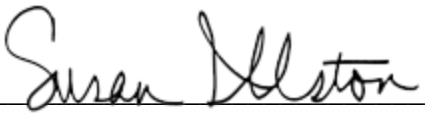
<https://cand-uscourts.zoomgov.com/j/1612108939?pwd=RFIsVmV0ZlFYb1ovQzRNTVlXNzcydz09>.

Webinar ID: 161 210 8939

Password: 539983

**IT IS SO ORDERED.**

Dated: August 15, 2023

  
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SUSAN ILLSTON  
United States District Judge